

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77867

Toshihiko BABA, et al.

Appln. No.: Not yet assigned

Group Art Unit: Not yet assigned

Confirmation No.: Not yet assigned

Examiner: Not yet assigned

Filed: October 8, 2003

For: OPTICAL ELEMENT, OPTICAL DEFLECTION ELEMENT,
OPTICAL MULTIPLEXING ELEMENT, AND SCANNING APPARATUS

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.97 and 1.98

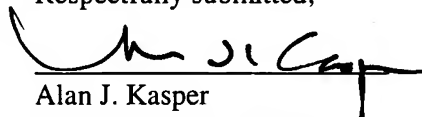
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which are all the references of record in parent application No. 09/941,617. Applicant is not submitting duplicate copies of these references but requests that they be listed on the face of any patent granted on the above application. (See 37 CFR §1.98(d)). Copies of any cited copending applications, if not previously submitted, are being submitted herewith.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,


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WASHINGTON OFFICE

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Date: October 8, 2003

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| Substitute for Form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | |
| | | | | Application Number | Not yet assigned |
| | | | | Confirmation Number | Not yet assigned |
| | | | | Filing Date | October 8, 2003 |
| | | | | First Named Inventor | BABA, Toshihiko |
| | | | | Art Unit | Not yet assigned |
| Examiner Name | Not yet assigned | | | | |
| Sheet | 1 | of | 1 | Attorney Docket Number | Q77867 |

| U.S. PATENT DOCUMENTS | | | | | |
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| Examine r Initials* | Cite No. ¹ | Document Number | | Publication Date MM-DD- YYYY | Name of Patentee or Applicant of Cited Document |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| Examine r Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD- YYYY | Name of Patentee or Applicant of Cited Document | Translation ⁶ |
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| | | JP | 2000-66002 | | 3/3/00 | | |
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| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|--|--------------------------|
| Examine r Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation ⁶ |
| | | Kosaka, et al., "Superpris phenomena in photonic crystals", October 15, 1999-II. | |
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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.